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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

ORACLE USA, INC., a Colorado corporation;
 ORACLE AMERICA, INC. a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-00106-LRH-PAL

**PLAINTIFFS ORACLE'S MOTION
 TO SEAL THEIR OPPOSITION TO
 DEFENDANTS RIMINI STREET
 INC.'S AND SETH RAVIN'S MOTION
 TO BIFURCATE AND SUPPORTING
 DOCUMENTS**

Judge: Hon. Larry R. Hicks

Pursuant to the Stipulated Protective Order governing confidentiality of documents entered by the Court on May 21, 2010, Dkt. 55 (“Protective Order”), and Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (together “Oracle” or “Plaintiffs”) respectfully request that the Court order the Clerk of the Court to file under seal an unredacted copy of Oracle’s Opposition to Defendants Rimini Street Inc.’s and Seth Ravin’s Motion to Bifurcate (“Opposition”) (the “Opposition”) and supporting Exhibits.¹ Unredacted copies of the Opposition and Exhibits were individually lodged under seal with the Court on July 16, 2015.

Sealing of the unredacted Opposition is requested because the redacted portions of it contain information that Rimini Street, Inc. and Seth Ravin (collectively the “Defendants”), have designated as “Confidential Information” and “Highly Confidential Information – Attorneys’ Eyes Only” under the terms of the Protective Order. Likewise, sealing of the unredacted Exhibits is requested because they contain information designated as “Confidential Information” and “Highly Confidential Information – Attorneys’ Eyes Only” by the Defendants and Oracle.

The Protective Order states, “Counsel for any Designating Party may designate any Discovery Material as ‘Confidential Information’ and ‘Highly Confidential Information – Attorneys’ Eyes Only’ under the terms of this Protective Order only if such counsel in good faith believes that such Discovery Material contains such information and is subject to protection under Federal Rule of Civil Procedure 26(c). The designation by any Designating Party of any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ shall constitute a representation that an attorney for the Designating Party reasonably believes there is a valid basis for such designation.” Dkt. 55 ¶ 2.

For sealing requests relating to non-dispositive motions, such as this, the presumption of public access to court filings may be overcome by a showing of good cause under Rule 26(c). *See Pintos v. Pacific Creditors Ass’n*, 605 F.3d 665, 678 (9th Cir. 2010); *Kamakana v. Honolulu*,

¹ All Exhibits referred to in this motion are attached to the Appendix of Exhibits Cited in Support of Oracle’s Opposition to Rimini Street Inc.’s and Seth Ravin’s Motion to Bifurcate.

447 F.3d 1172, 1179 (9th Cir. 2006). Defendants have identified the information redacted in the Opposition as well as the Exhibits as Confidential and Highly Confidential, and therefore Defendants have represented that good cause exists for sealing those portions of the documents. This is a sufficient showing of good cause to permit a sealing order on a non-dispositive motion. See, e.g., *Pac. Gas & Elec. Co. v. Lynch*, 216 F. Supp. 2d 1016, 1027 (N.D. Cal. 2002).

TESTIMONY AND DOCUMENTS DESIGNATED BY RIMINI AS CONFIDENTIAL OR HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY

Defendants have designated the following materials cited or referred to in Oracle’s Opposition as Confidential or Highly Confidential – Attorneys’ Eyes Only:

EX. NO.	DESCRIPTION	CONF. DESIGN.
1	Email from Dan Slarve to Seth Ravin, which has been marked as PTX 2.	Highly Confidential
2	Email from Doug Baron to Dennis Chiu, copying George Lester, which has been marked as PTX 13.	Highly Confidential
3	Email chain from Shelley Blackmarr to Beth Lester, copying Susan Tahtaras, which has been marked as PTX 1585.	Highly Confidential
4	Email from Susan Tahtaras to Beth Lester, which has been marked as PTX 14.	Highly Confidential
5	Email from Dennis Chiu to George Lester copying Beth Lester, which has been marked as PTX 17.	Highly Confidential
6	Email from Dennis Chiu to George Lester copying Seth Ravin, Davivhick, which has been marked as PTX 20.	Confidential
7	Email from Seth Ravin to George Lester, which has been marked as PTX 21.	Confidential
8	Email chain from Dennis Chiu to Seth Ravin copying George Lester, Thomas Shay, which has been marked as PTX 22.	Highly Confidential
9	Email chain from Rich Hughes to Trey Picard, which has been marked as PTX 24.	Highly Confidential
10	Email chain from Dennis Chiu to Seth Ravin copying George Lester, Thomas Shay, which has been marked as PTX 27.	Highly Confidential
11	Email from Rusty Gaston to Michael Davichick, which has been marked as PTX 4937.	Highly Confidential
12	Response to Request for Proposal prepared for Abilene Independent School District, which has been marked as PTX 2140.	Highly Confidential
13	Email from Dennis Chiu to Seth Ravin and Brian Slepko copying Michael Davichick and Beth Lester, which has been marked as PTX 601.	Highly Confidential

1	14	Email from J.R. Corpuz to Doug Baron, which has been marked as PTX 34.	Highly Confidential
2	15	Email from Seth Ravin to Michael Davichick, which has been marked as PTX 35.	Highly Confidential
3	16	Email from Michael Davichick to Jim Ward, which has been marked as PTX 36.	Confidential & Confidential by Oracle
4			
5	17	Email from Susan Tahtaras to Tim Conley, which has been marked as PTX 40.	Highly Confidential
6	18	Email from John Whittenbarger to Dennis Chiu, et al., which has been marked as PTX 42.	Highly Confidential
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8	19	Email from Brian Slepko to Seth Ravin, which has been marked as PTX 229.	Highly Confidential
9	20	Email from Susan Tahtaras to David Radtke, which has been marked as PTX 41.	Highly Confidential
10	21	Email from Chris Limburg to Krista Williams, which has been marked as PTX 53.	Confidential
11	22	Email from Michael Davichick to Chip Seigel and Kim Cabada, which has been marked as PTX 56.	Highly Confidential
12	23	Email from Krista Williams to Dennis Chiu, which has been marked as PTX 57.	Highly Confidential
13	24	Email from Brian Slepko to Dennis Chiu, which has been marked as PTX 58.	Highly Confidential
14	25	Email from Ray Grigsby to Conrad Bredleau, et. al., which has been marked as PTX 61.	Highly Confidential
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16	26	Email from Krista Williams to Dennis Chiu, which has been marked as PTX 63.	Highly Confidential
17	27	Email from Ed Freeman to Krista Williams, which has been marked as PTX 64.	Highly Confidential
18	28	Excerpts from the deposition of Krista Williams, taken on October 5, 2011.	Confidential
19	33	Excerpts from the deposition of YUM! Restaurant Services, Inc.'s corporate representative, James Ward, taken on December 9, 2011.	Confidential
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22 Oracle has submitted all other exhibits in the Appendix to the Court's public files, which
23 would allow public access to all Exhibits except for the items listed above. Accordingly, the
24 request to seal is narrowly tailored.

25 For the foregoing reasons, Oracle respectfully requests that the Court find that good cause
26 exists to file under seal the unredacted copies of the Opposition and above-listed Exhibits, and to
27 issue an order sealing the same.
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1 DATED: July 16, 2015

BOIES SCHILLER & FLEXNER LLP

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3 By: /s/ Kieran P. Ringgenberg
4 Kieran P. Ringgenberg
5 Attorneys for Plaintiffs
6 Oracle USA, Inc., Oracle America, Inc.,
7 and Oracle International Corp.
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ATTESTATION OF FILER

The signatory to this document is Kieran Ringgenberg, and I have obtained Mr. Ringgenberg's concurrence to file this document on his behalf.

Dated: July 16, 2015

BOIES, SCHILLER & FLEXNER LLP

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of July, 2015, I electronically transmitted the foregoing **PLAINTIFFS ORACLE'S MOTION TO SEAL THEIR OPPOSITION TO DEFENDANTS RIMINI STREET INC.'S AND SETH RAVIN'S MOTION BIFURCATE AND SUPPORTING DOCUMENTS** to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

/s/ Catherine Duong

An employee of Boies, Schiller & Flexner LLP